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U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

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OFFICE OF THE CLERK  
**DOCKET NO. 1657**

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUL 25 2005

FILED  
CLERK'S OFFICE

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

05-5009  
05-285

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-20)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 832 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck  
Michael J. Beck  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

AUG 10 2005

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**SCHEDULE CTO-20 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
<b>ALABAMA NORTHERN</b>	
ALN 2 05-1265	Willie E. Smith v. Merck & Co., Inc.
ALN 2 05-1275	Kathryn Gates, et al. v. Merck & Co., Inc.
ALN 2 05-1334	Orrie Q. Johnson, etc. v. Merck & Co., Inc.
<b>ARKANSAS EASTERN</b>	
ARE 2 05-133	Elizabeth Kennedy v. Merck & Co., Inc., et al.
ARE 2 05-135	Ronald Johnson, et al. v. Merck & Co., Inc., et al.
<b>CALIFORNIA CENTRAL</b>	
<del>CAC 2 05-4073</del>	<del>Doris Aaron v. Merck &amp; Co., Inc., et al. Vacated 8/9/05</del>
<b>CALIFORNIA NORTHERN</b>	
<del>CAN 3 05-2244</del>	<del>Mylene Edsall, et al. v. Merck &amp; Co., Inc. Vacated 8/9/05</del>
<b>COLORADO</b>	
CO 1 05-1055	Joseph F. Hatala, et al. v. Merck & Co., Inc.
<b>CONNECTICUT</b>	
CT 3 05-995	Thomas Gainey, etc. v. Merck & Co., Inc.
<b>FLORIDA MIDDLE</b>	
FLM 2 05-285	Donald Allain, et al. v. Merck & Co., Inc.
FLM 2 05-292	Barbara Steele v. Merck & Co., Inc.
FLM 6 05-847	Linda Gecosky, et al. v. Merck & Co., Inc.
FLM 8 05-1096	Bruce A. Bruce, et al. v. Merck & Co., Inc.
<b>FLORIDA SOUTHERN</b>	
FLS 0 05-60959	Marjorie Borsum, et al. v. Merck & Co., Inc.
FLS 1 05-21529	Kermit Lee, et al. v. Merck & Co., Inc.
<b>GEORGIA NORTHERN</b>	
GAN 1 05-1525	Sylvester Storey v. Merck & Co., Inc.
GAN 1 05-1607	Tamberlyn Y. Telgen, etc. v. Merck & Co., Inc.
<b>ILLINOIS SOUTHERN</b>	
<del>ILS 3 05-450</del>	<del>Stanley Hayes v. Merck &amp; Co., Inc., et al. Opposed 8/9/05</del>
<b>KENTUCKY WESTERN</b>	
<del>KYW 3 05-351</del>	<del>Lois Hammond, et al. v. Merck &amp; Co., Inc., et al. Opposed 8/9/05</del>
<b>LOUISIANA MIDDLE</b>	
LAM 3 05-846	J.M. Walters, Jr. v. Merck & Co., Inc.
LAM 3 05-904	Edward Smith v. Merck & Co., Inc.
<b>LOUISIANA WESTERN</b>	
LAW 2 05-1137	Lester Fontenot v. Merck & Co., Inc.
LAW 3 05-190	Elizabeth A. Bradley v. Merck & Co., Inc.
<b>MASSACHUSETTS</b>	
MA 1 05-11307	Patricia Rafferty v. Merck & Co., Inc.
MA 1 05-11308	Celia Houghton, et al. v. Merck & Co., Inc.

## SCHEDULE CTO-20 - TAG-ALONG ACTIONS (MDL - 1657)

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DIST. DIV. C.A. #CASE CAPTION

MA 1 05-11309

Dorothy M. Basile v. Merck &amp; Co., Inc.

MA 1 05-11310

Ernest Pleasant v. Merck &amp; Co., Inc.

## MARYLAND

MD 8 05-1662

Paul Williams, etc. v. Merck &amp; Co., Inc.

## MINNESOTA

MN 0 05-1161

Elaine H. Akerstrom v. Merck &amp; Co., Inc.

MN 0 05-1188

Lawrence Junior Lowrie v. Merck &amp; Co., Inc.

MN 0 05-1218

Charles A. Agnew v. Merck &amp; Co., Inc.

MN 0 05-1219

Betty E. Johnson v. Merck &amp; Co., Inc.

MN 0 05-1229

Kenneth K. Broman v. Merck &amp; Co., Inc.

## MISSOURI EASTERN

MOE 4 05-298

David Braun, et al. v. Merck &amp; Co., Inc., et al.

MOE 4 05-306

Ella Price, et al. v. Merck &amp; Co., Inc., et al.

## MISSISSIPPI NORTHERN

MSN 1 05-145

Perry Wayne Robertson v. Merck &amp; Co., Inc.

## NORTH CAROLINA EASTERN

NCE 5 05-441

David Howard v. Merck &amp; Co., Inc., et al.

## NEBRASKA

NE 7 05-5009

Oliver S. Mason v. Merck &amp; Co., Inc.

NE 8 05-285

Mary M. Kleber v. Merck &amp; Co., Inc.

## NEW HAMPSHIRE

NH 1 05-227

William Miller, et al. v. Merck &amp; Co., Inc.

## NEVADA

~~NV 3 05-332~~~~Jennie Alfred, et al. v. Merck & Co., Inc., et al. Opposed 8/9/05~~

## NEW YORK EASTERN

NYE 1 05-2952

Frida Goldenberg v. Merck &amp; Co., Inc., et al.

NYE 1 05-2971

Annemarie Tullo, et al. v. Merck &amp; Co., Inc.

NYE 2 05-2833

Marc Salzberg, et al. v. Merck &amp; Co., Inc.

## NEW YORK NORTHERN

NYN 5 05-761

Diane M. Mann, etc. v. Merck &amp; Co., Inc.

## NEW YORK SOUTHERN

NYS 1 04-6106

Olga Dana, et al. v. Merck &amp; Co., Inc.

NYS 1 05-4563

Taiwo Sapara v. Merck &amp; Co., Inc.

NYS 1 05-5516

Matilde Velasquez v. Merck &amp; Co., Inc.

NYS 1 05-5517

Sukhrajie Seeraj v. Merck &amp; Co., Inc., et al.

NYS 1 05-5519

Frank Altomare, et al. v. Merck &amp; Co., Inc., et al.

NYS 1 05-5522

Norma Young v. Merck &amp; Co., Inc., et al.

NYS 1 05-5523

Patricia Garrow v. Merck &amp; Co., Inc., et al.

NYS 1 05-5928

Vasilios Patrakas v. Merck &amp; Co., Inc.

NYS 1 05-5929

Dionysios Patrakas, et al. v. Merck &amp; Co., Inc.

NYS 1 05-5931

Effie Patrakas, et al. v. Merck &amp; Co., Inc.

NYS 1 05-5932

Harry Patrakas v. Merck &amp; Co., Inc.

NYS 1 05-5933

Dimostithinis Patrakas v. Merck &amp; Co., Inc.

NYS 1 05-6007

Nicholaos Drenis v. Merck &amp; Co., Inc.

NYS 1 05-6008

Peter Stagias, et al. v. Merck &amp; Co., Inc.

NYS 1 05-6010

Angelos Psomos v. Merck &amp; Co., Inc.

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DIST. DIV. C.A. #CASE CAPTION

NYS 1 05-6011	Michael Mitaras v. Merck & Co., Inc.
NYS 1 05-6013	Fotis Miltalios v. Merck & Co., Inc.
NYS 1 05-6044	Diamonto Vartsakis v. Merck & Co., Inc.
NYS 1 05-6045	Alexandros Garidis v. Merck & Co., Inc.
NYS 1 05-6046	Faina Shamis v. Merck & Co., Inc.
NYS 1 05-6047	Raisa Yarosh v. Merck & Co., Inc.
NYS 1 05-6102	Diana Hauzenberg, et al. v. Merck & Co., Inc.
NYS 1 05-6103	Petros Ikonomidis v. Merck & Co., Inc.
NYS 1 05-6104	Carlo Dana, et al. v. Merck & Co., Inc.
NYS 7 05-5784	Philip Ginsberg, et al. v. Merck & Co., Inc.

## NEW YORK WESTERN

~~NYW 6 05-6338~~ ~~Lynn Krieger v. Merck & Co., Inc., et al.~~ Opposed 8/8/05

## OHIO NORTHERN

OHN 3 05-7123	Judith U. Williams, et al. v. Merck & Co., Inc.
OHN 3 05-7124	Charles J. Hughes v. Merck & Co., Inc.
OHN 4 05-791	Christina Raynor v. Merck & Co., Inc.

## OREGON

~~OR 6 05-6184~~ ~~Wayne S. Harger v. Merck & Co., Inc., et al.~~ Opposed 8/9/05

## PENNSYLVANIA EASTERN

PAE 2 05-2566	James Lipe, et al. v. Merck & Co., Inc.
PAE 2 05-2716	Elvira Abundiz, et al. v. Merck & Co., Inc.
PAE 2 05-2718	Edward D. Arnold, et al. v. Merck & Co., Inc.
PAE 2 05-2719	Betty G. Baker v. Merck & Co., Inc.
PAE 2 05-2814	Augustus Bidwell, et al. v. Merck & Co., Inc.
PAE 2 05-2815	Helen M. Booth v. Merck & Co., Inc.
PAE 2 05-2816	Charles U. Busch, et al. v. Merck & Co., Inc.
PAE 2 05-2944	Carol A. Greene, etc. v. Merck & Co., Inc.
PAE 2 05-3069	William F. Hess, Jr. v. Merck & Co., Inc.

## SOUTH CAROLINA

SC 7 05-1791	Robert Wilkins, etc. v. Merck & Co., Inc.
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## TENNESSEE WESTERN

TNW 1 05-1159	Jerry Foster, et al. v. Merck & Co., Inc., et al.
TNW 1 05-1160	Charmian A. Wright, et al. v. Merck & Co., Inc., et al.
TNW 1 05-1166	Denny E. West v. Merck & Co., Inc., et al.

## TEXAS EASTERN

TXE 1 05-408	Arnold Kidd v. Merck & Co., Inc., et al.
TXE 2 05-218	Chiquita Alexander, et al. v. Merck & Co., Inc.
TXE 2 05-221	Beulah Luper, et al. v. Merck & Co., Inc., et al.
TXE 2 05-222	Wayne Venters v. Merck & Co., Inc., et al.
TXE 2 05-223	Kevin F. Smith, et al. v. Merck & Co., Inc., et al.
TXE 2 05-224	Dawn Shelton v. Merck & Co., Inc., et al.
TXE 2 05-225	Dorothy M. Shreves v. Merck & Co., Inc., et al.
TXE 2 05-226	Sheila Seitz, et al. v. Merck & Co., Inc., et al.
TXE 2 05-227	David Sacco, et al. v. Merck & Co., Inc., et al.
TXE 2 05-228	Bill R. Owens, et al. v. Merck & Co., Inc., et al.
TXE 2 05-229	Daniel D. Otstott, etc. v. Merck & Co., Inc., et al.
TXE 2 05-230	Patsy J. Moses, etc. v. Merck & Co., Inc., et al.
TXE 2 05-231	Chad Morphew v. Merck & Co., Inc., et al.
TXE 2 05-232	Patricia A. McQuatters, et al. v. Merck & Co., Inc., et al.
TXE 2 05-234	Birdie Williams, etc. v. Merck & Co., Inc., et al.

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DIST. DIV. C.A. #CASE CAPTION

TXE 2 05-235	Bettye E. Jackson, et al. v. Merck & Co., Inc., et al.
TXE 2 05-236	Charles E. Gentry, et al. v. Merck & Co., Inc., et al.
TXE 2 05-237	Ronald D. Coffinan, et al. v. Merck & Co., Inc., et al.
TXE 2 05-238	Sandra P. Brown, et al. v. Merck & Co., Inc., et al.
TXE 2 05-239	Carolyn A. Brannon, et al. v. Merck & Co., Inc., et al.
TXE 2 05-240	Marcelline Bowe v. Merck & Co., Inc., et al.
TXE 2 05-241	Ken Katzenmaier, et al. v. Merck & Co., Inc., et al.
TXE 2 05-242	Barbara J. Kenyon, et al. v. Merck & Co., Inc., et al.
TXE 2 05-243	Diana J. Kenney v. Merck & Co., Inc., et al.
TXE 2 05-244	Beverly S. Carroll, et al. v. Merck & Co., Inc., et al.
TXE 2 05-245	James R. Johnson, et al. v. Merck & Co., Inc., et al.
TXE 2 05-272	Dorothy J. Debri, et al. v. Merck & Co., Inc., et al.
TXE 2 05-274	Liza Lacour v. Merck & Co., Inc., et al.
TXE 2 05-275	Anthony Henry, et al. v. Merck & Co., Inc., et al.
TXE 2 05-276	Renee Mouton-Taylor, et al. v. Merck & Co., Inc., et al.

## TEXAS SOUTHERN

TXS 4 05-2028	Kimberly Linzer-Cole v. Merck & Co., Inc.
TXS 6 05-72	Genevive Jordan, et al. v. Merck & Co., Inc.

## TEXAS WESTERN

TXW 1 05-445	Gregory Bilton, etc. v. Merck & Co., Inc.
TXW 1 05-446	Robert Jackson, et al. v. Merck & Co., Inc.
TXW 1 05-447	William Douglas Simpson, et al. v. Merck & Co., Inc.
TXW 1 05-448	Robert Meyer, etc. v. Merck & Co., Inc.
TXW 1 05-478	Jimmy R. Scarborough, Sr., et al. v. Merck & Co., Inc.

## WASHINGTON EASTERN

WAE 2 05-184	David Barnes, et al. v. Merck & Co., Inc.
WAE 2 05-186	Elsa Mazac, et al. v. Merck & Co., Inc.
WAE 2 05-187	John Michler, et al. v. Merck & Co., Inc.

## WASHINGTON WESTERN

WAW 3 05-5398	Daria L. Marvin-McPherson, et al. v. Merck & Co., Inc.
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 1729 Fifth Avenue, North  
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Hon. Lynn N. Hughes  
U.S. District Judge  
11122 Bob Casey  
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515 Rusk Avenue  
Houston, TX 77002

~~Hon. David G. Larimer~~  
~~U.S. District Judge~~  
~~250 Kenneth B. Keating~~  
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Hon. Donald C. Nugent  
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15A Carl B. Stokes  
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